

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ADAM JAY STONE,)	Case No. 1:21-cv-01461-DAD-SAB (PC)
)	
Plaintiff,)	
)	FINDINGS AND RECOMMENDATIONS
v.)	RECOMMENDING DISMISSAL OF CERTAIN
)	DEFENDANTS AND CLAIMS
C. PFIEFFER,)	
)	
Defendant.)	
)	

Plaintiff Adam Jay Stone is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

Plaintiff filed the instant action on September 30, 2021, and Plaintiff paid the filing fee on December 17, 2021. Plaintiff filed a first amended complaint on January 10, 2022. (ECF No. 22.)

On March 23, 2022, the Court screened the first amended complaint, found that Plaintiff stated a cognizable excessive force claim against Defendants Anderson, B. Gonzales, G. Morales, and K. Gonzales, and granted Plaintiff leave to file a second amended complaint or notify the Court of his intent to proceed only on the excessive force claim. (ECF No. 26.) On April 4, 2022, Plaintiff filed a notice to proceed only on the excessive force claim. (ECF No. 27.)

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1 Accordingly, it is HEREBY RECOMMENDED that:

- 2 1. This action proceed on Plaintiff's excessive force claim against Defendants Anderson,
3 B. Gonzales, G. Morales, and K. Gonzales; and
4 2. All other Defendants and claims be dismissed from the action for failure to state a
5 cognizable claim for relief.

6 These Findings and Recommendations will be submitted to the United States District Judge
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **fourteen (14) days**
8 after being served with these Findings and Recommendations, Plaintiff may file written objections
9 with the Court. The document should be captioned "Objections to Magistrate Judge's Findings and
10 Recommendations." Plaintiff is advised that failure to file objections within the specified time may
11 result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
12 (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

13
14 IT IS SO ORDERED.

15 Dated: April 6, 2022


UNITED STATES MAGISTRATE JUDGE